

**United States District Court
for the
Southern District of West Virginia
Petition for Warrant or Summons of Offender Under Supervision**

Name of Offender: Michael Dow

Case Number: 5:03CR00058-001

Name of Sentencing Judicial Officer: Honorable David A. Faber, United States District Judge
(Reassigned to Irene C. Berger, United States District Judge)

Date of Original Sentence: August 25, 2003

Original Offense: 21 U.S.C. § 841 (a)(1): Possession with intent to distribute cocaine
18 U.S.C. § 924 (c)(1)(A)(i): Possession of a firearm in furtherance of a drug
trafficking crime

Original Sentence: Eighty-four months' custody; five-year term of supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: April 10, 2009

Assistant U.S. Attorney: Gerald M. Titus, III

Defense Attorney: David R. Bungard

PETITIONING THE COURT

☐ To issue a warrant

☒ To issue a summons

The probation officer believes the offender has violated the following condition(s) of supervision:

Violation Number

Nature of Noncompliance

1. **Violation of standard condition: The defendant shall not possess a controlled substance.**

The defendant, Michael Dow, submitted urine specimens positive for cocaine on September 29, 2009 and October 6, 2009. Furthermore, the offender submitted urine specimens positive for marijuana on the following dates: March 2 and 19, 2010; April 14, 19, and 23, 2010; May 10 and 24, 2010; and June 7, 2010.

2. **Violation of the Court's Order of June 29, 2010 modifying the defendant's supervision to require completion of Transitions, Inc., a six-month community corrections program.**

Mr. Dow failed to complete the six-month community corrections program as ordered by the Court when he was discharged on October 14, 2010, for violating the rules and regulations of the program.

Michael Dow
Docket No: 5:03CR00058

**Petition for Warrant or Summons
for Offender Under Supervision**

U.S. Probation Officer Recommendation:

The term of supervision should be

- ☒ revoked.
☐ extended for _ years, for a total term of _ years.

- ☐ The Petition and Warrant be SEALED until the defendant is arrested.
☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury the foregoing is true and correct:

by:



Amy-Berry Richmond
United States Probation Officer
October 26, 2010

THE COURT ORDERS:

- ☐ No Action
☐ The Issuance of a Warrant
☐ The Petition and Warrant be SEALED until the defendant is arrested.
No further Order shall be needed to unseal same once the offender has been arrested.
☒ The Issuance of a Summons
☐ Other (specify)



IRENE C. BERGER, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
November 1, 2010

Date